

REMARKS

The following are applicant's response to issues raised in the Office Action.

Applicants respectfully request entry of this amendment in order to move the instant application toward allowance or alternatively, to place the application in better form for appeal.

Allowable Subject Matter

Applicants gratefully acknowledge the allowance of claims 9-15 and 17-18.

Rejection under 35 USC 103

Claims 19-20 and 24 were rejected under 35 USC 103 as being unpatentable over Anderson, US patent 5,161,579 in view of Long, US patent 3,120,962.

Long discloses a clearance height control system. The valve is mounted to a vehicle chassis and is turned on and off by a lever attached to the axle. The valve adjusts the air spring automatically to keep the vehicle level. It is not adjustable by the operator.

Anderson discloses a leveling valve for air springs. The device of Anderson performs the same function as Long. That is to automatically level the vehicle in response to a changing load. Neither the device of Long nor Anderson is adjustable by the vehicle operator.

Neither Anderson, nor Long teach, disclose or suggest as in amended claim 19, a control switch that is connected to the actuator to allow the vehicle operator to control the actuator. The actuator admitting or releasing air from the air bag so as to adjust the ride firmness of the vehicle by the operator. The operator of the vehicle can therefore raise or lower the vehicle and adjust the firmness of the ride using the control switch to move the actuator. The control switch allows the operator of the vehicle to add or release air from the air bag by moving the actuator that moves the valve. At the same time, the present invention automatically adjusts the air bag inflation based upon vehicle loading.

In contrast, none of the cited reference disclose a mechanism that allows a vehicle operator to adjust the air pressure to the air bags.

Column 4, lines 22-29 and Column 8, lines 35-57 of Anderson disclose that the only purpose of manually operated valve 9 is to remove all of the air from the air spring 2 via the dump pilot port 13.

If the valve 9 of Anderson was replaced with a switch, it would still only serve to totally deflate the air bag resulting in no control of the airbag. The proposed combination teaches away from the present invention whose purpose is enhanced control of the airbag.

There is no suggestion in Anderson to use a control switch connected to an actuator. Such a combination can only be gleaned through hindsight reasoning. It has been held that one cannot use hindsight reconstruction to pick and chose among

isolated disclosures in the prior art to depreciate the claimed invention. In Re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988).

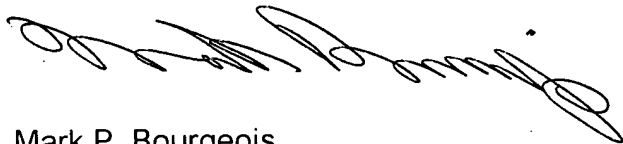
Dependent claims 20-24 depend from independent claim 19 and are allowable therewith.

Withdrawal of the 103 rejection is respectfully requested.

Conclusion:

Claims 9-15, 17-18 and 19-24 are now believed to be in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Bourgeois', written in a cursive style.

Mark P. Bourgeois
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